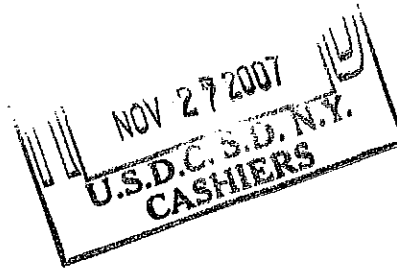


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VENGROW & TEXTOR, LLP
Attorneys for American Transport Logistics, Inc.
61 Broadway, Suite 3000
New York, New York 10006-2802
(212) 344-7042



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BENCHMARK EXPORT SERVICES, INC.

Plaintiff,

- against -

AMERICAN TRANSPORT LOGISTICS, INC.

Defendant.

07 CIV 9446

Judge Stein

AMERICAN TRANSPORT
LOGISTICS, INC'S THIRD PARTY
COMPLAINT

AMERICAN TRANSPORT LOGISTICS, INC.

Defendant/Third Party Plaintiff.

- against -

SAFMARINE, INC.

Third Party Defendant.

Pursuant to Rule 14(c) of the Federal Rules of Civil Procedure, Defendant and Third Party Plaintiff American Transport Logistics, Inc. (hereinafter "ATL") by its attorneys Cichanowicz, Callan, Keane, Vengrow & Textor, LLP as and for a Third-Party Complaint

against Third Party Defendant Safmarine, Inc. is tendering the Third-Party Defendant directly to Plaintiff and alleges upon information and belief as follows:

1. The underlying claim is an admiralty and maritime claim within the meaning of Rule 9 (h) of the Federal Rules of Civil Procedure.
2. Defendant and Third-Party Plaintiff ATL is a corporation located at 1 Woodbridge Center, Suite 430, Woodbridge, New Jersey 07095.
3. Upon information and belief, Safmarine, Inc. is a corporation or other business entity organized and existing under and by virtue of the laws of a foreign country, and trades or otherwise does business in the U.S., including New York, and is located at Giralda Farms, Building 7, Madison Avenue, P.O. Box 0800, Madison, New Jersey 07940-0880.
4. Plaintiff has filed suit against ATL alleging \$55,000.00 in damages for a shipment alleged to be in a damaged condition. A copy of the Summons with Complaint and ATL's Answer is attached as Exhibit 1.
5. As the ocean carrier, Third-Party Defendant Safmarine, Inc. is directly liable to plaintiff for the alleged damage, if any, which is denied by ATL.
6. In the alternative, if Defendant and Third-Party Plaintiff ATL suffered liability as alleged in the Summons with Notice, which is denied, such liability was caused solely by the negligence, gross negligence, breach of contract and/or breach of warranty, expressed or implied by the Third-Party Defendant Safmarine, Inc.
7. As a result of the foregoing, Third-Party Defendant Safmarine, Inc. should be required to contribute and/or indemnify ATL for any amount it may be required to pay including costs, disbursements and reasonable attorney's fees incurred by ATL in this action.

WHEREFORE, Defendant Third-Party Plaintiff American Transport Logistics, Inc. demands:

1. Judgment against Third-Party Defendant Safmarine, Inc. directly to Plaintiff for all damages.
2. In the alternative a judgment against Safmarine, Inc. for all sums that may be adjudged against Defendant and Third-Party Plaintiff American Transport Logistics, Inc. in favor of Plaintiffs, together with the cost and disbursements of this action including reasonable attorney's fees.

Dated: November 26, 2007

Respectfully submitted

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP
Attorneys for Defendant/Third-Party Plaintiff
American Transportation Logistics, Inc.

By: 

Patrick Michael DeCharles, II (PMD/9984)

61 Broadway, Suite 3000
New York, New York 10006
(212) 344-7042

To: Christopher M. Shierlob, Esq.
Casey & Barnett, LLC
317 Madison Avenue, 21st Floor
New York, New York 10017
(212) 286-0225
Attorneys for Plaintiff

CERTIFICATE OF SERVICE BY REGULAR U.S. MAIL

The undersigned declares under penalty of perjury that the following is true and correct:

1. I am over the age of eighteen years and I am not a party to this action.
2. On November 27, 2007, I served a complete copy of **Defendant American Transport Logistics, Inc.'s Third Party Complaint** to the following attorneys by regular U.S. mail at the following address:

To: Christopher M. Shierlob, Esq.
Casey & Barnett, LLC
317 Madison Avenue, 21st Floor
New York, New York 10017
(212) 286-0225
Attorneys for Plaintiff



Maria Johnson

DATED: November 27, 2007
New York, New York